

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CALVIN MORGAN,

Petitioner,

-against-

ROBERT ERCOLE,

Respondent.
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JUDGMENT
06-CV- 3716 (CBA)

A Memorandum and Order of Honorable Carol Bagley Amon, United States District Judge, having been filed on November 12, 2009, denying the petition for a writ of habeas corpus; and ordering that a Certificate of Appealability shall not issue; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that the petition for a writ of habeas corpus is denied; and that a Certificate of Appealability shall not issue.

Dated: Brooklyn, New York
November 12, 2009

/S/
ROBERT C. HEINEMANN
Clerk of Court